



Migration Governance Snapshot: The Republic of Moldova

May 2018

In 2015, the International Organization for Migration (IOM) developed a [Migration Governance Framework \(MiGOF\)](#) to help countries define what “well-managed migration policy” might look like at the national level. The MiGOF was welcomed by IOM member states in the same year. The Migration Governance Indicators (MGI)¹ were developed to assist countries operationalize the MiGOF by using a standard set of approximately 90 indicators which could be applied across six key policy domains.

The MGI is a tool based on policy inputs, which offers insights on policy levers that countries can use to develop their migration governance. The MGI is not intended to function as a measurement of outcomes related to migration policies and institutions. Instead, it operates as an input-based benchmarking framework that offers insights on policy measures that countries can use to strengthen migration governance. The MGI is not meant to rank countries in the assessment of the comprehensiveness of their migration policies, or to identify gaps and areas that could be strengthened. The MGI aims to assist countries while advancing the conversation on migration governance by clarifying what “well-governed migration” might look like in the context of the [Sustainable Development Goal Target 10.7](#), “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.”

This country snapshot presents a summary of well-governed areas of the Republic of Moldova’s (hereafter referred to as Moldova) migration governance structures, as well as the areas with potential for further development, as assessed by the MGI.

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Key findings

1. Adherence to international standards and fulfilment of migrants' rights

1.1. International conventions ratified

The table below follows a standard format and looks at the ratification of specific international conventions. The list of conventions covered is by no means exhaustive.

Convention name	Ratified
ILO Migration for Employment Convention (Revised), 1949 (No. 97)	Yes (2005)
Convention relating to the Status of Refugees, 1951	Yes (2002)
Convention relating to the Status of Stateless Persons, 1954	Yes (2012)
Convention on the Reduction of Statelessness, 1961	Yes (2012)
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
Convention on the Rights of the Child (CRC), 1989	Yes (1993)
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	No

1.2. Migration governance: examples of well-developed areas

The Republic of Moldova has a mandatory health insurance system where all workers must pay for insurance in order to access medical services. Refugees and beneficiaries of humanitarian protection, foreigners with permanent or temporary residence permits (including students) employed in the Republic of Moldova, as well as foreign citizens and stateless persons residing in the Republic of Moldova, have the same rights and obligations regarding access to medical services as Moldovan citizens. Furthermore, refugees and beneficiaries of humanitarian protection, and foreigners with permanent or temporary residence permits (including students) are entitled to all social benefits offered to Moldovan citizens.

Migrants holding a residence permit have access to all levels of public education, and all foreigners regardless of legal status have access to pre-school, primary and secondary education (Art. 21 of [Law No. 274/2011](#)).

Migrants with permanent or temporary residence permits (except foreign students) can apply for family reunification (Art. 28 of [Law No. 200/2010](#)).

Refugees, migrants with permanent or temporary residence permits, and residents on family reunification visas have full access to private-sector employment. Foreign residents can be employed in the public sector except for the exercise of public authority and safeguarding state interest. [Law No. 180/2008](#) grants permanent residents, or residents on family reunification permits, access to self-employment.

All holders of temporary residence permits, except for students and immigrant workers, are able to apply for a permanent residence permit after living in the Republic of Moldova legally and continuously for five years. Foreigners who marry Moldovan nationals can apply for a permanent permit after three years of marriage. Migrants who are able to prove a basic command of the national language can apply for citizenship after 10 years, or after five years if aged under 18. Stateless persons, refugees and beneficiaries of humanitarian protection and political asylum are able to apply after eight years of legal residence.

1.3. Areas with potential for further development

Civil participation for migrants could be improved since non-national residents cannot vote in municipal elections.

2. Formulates policy using evidence and whole-of-government approach

2.1. Migration governance: examples of well-developed areas

The Republic of Moldova has a well-coordinated policy implementation structure. The Bureau for Migration and Asylum is the primary agency responsible for implementing the country's immigration policies, with support from the Border Police and the National Employment Office. The Bureau for Diaspora Relations within the State Chancellery of the Prime Minister and the Ministry of Health, Labour and Social Protection are the primary agencies responsible for implementing diaspora engagement, emigration, and return and reintegration policy.

In 2017, the Government of the Republic of Moldova approved normative amendments to expand the network of Diaspora Migration and Development (DMD) Focal Points to the local level. This network aims to implement the "whole-of government-approach" in the field of DMD at the national and local levels. An Interministerial Committee on DMD was established to coordinate the development and implementation of the state policies influencing DMD and to contribute more generally to migration policy. More national strategies and action plans have started to integrate the DMD aspects; these include the "[Diaspora 2025](#)" Strategy and Action Plan for 2016-2018, the [Action Plan for Reintegrating Returning Migrants for 2018-2020](#), and the National Employment Strategy and Action Plan for 2017.

The Government is making a clear effort to enhance migration policy coherence among various agencies. An example is the Technical Working Group on Migration, which involves the Ministries of Health, Labour, Education and Foreign Affairs, as well as the National Bureau of Statistics. Formed in 2010, it aims to enhance migration data coordination among agencies, encourage capacity-building efforts, and facilitate collaboration on migration policy design. It also is involved in the implementation of the "Extended Migration Profile" project with the IOM.

The country has a body of documents constituting its migration strategy, and a National Strategy on Migration and Asylum that covers the 2011–2020 period. Accompanying action plans oversee the strategy's implementation, with the most recent covering the 2016–2020 period. The National Strategy "[Diaspora 2025](#)", together with its Plan of Action 2016–2018 (approved in February 2016), contributes to increasing the cooperation between the Government, local public authorities, civil society and diaspora members by enhancing and extending the transversal approach to diaspora, migration, and development.

The Ministry of Foreign Affairs and European Integration's (MFAEI) [website](#) presents timely, relevant, and clear information on visa options and procedures. In addition, the MFAEI has produced a [guide](#) on the free movement of Moldovan citizens to and within the European Union (EU) in view of the EU's 2014 lifting of the visa requirements for Moldovan citizens travelling for up to three months to and throughout the Schengen area. The Bureau for Migration and Asylum (BMA) offers a [portal](#) for information on asylum procedures, and recently launched a [call centre](#) offering information services on immigration, asylum procedures and related issues. A [website](#) administered by IOM Moldova is currently being restructured and updated with relevant information for Moldovan migrants, including those returning to the Republic of Moldova, Moldovan diaspora members, and immigrants.

The BMA publishes immigration, repatriation and asylum statistics in the Republic of Moldova, and since 2013 has developed the Extended Migration Profile of the Republic of Moldova, which provides both statistical data on migration and a detailed analysis of migratory trends, the impact of migration, the migration management framework, main findings, policy implications and recommendations.

The Government has taken steps to make emigration policy a priority and does have basic structures in place to facilitate these movements. As an example, the 2011–2020 National Strategy on Migration and Asylum outlines policy objectives regarding the outward migration and reintegration of emigrants. Meanwhile, a 2008 mobility partnership between the EU and the Republic of Moldova contributed to fostering partnerships with

destination countries in the EU and helped build the migration management capacities of the relevant Moldovan authorities.

2.2. Areas with potential for further development

There is not a single government agency exclusively responsible for the design of immigration policy in the Republic of Moldova. Instead, multiple agencies share this function, including the Bureau for Migration and Asylum (housed in the Ministry of Internal Affairs), the Bureau for Diaspora Relations (housed in the State Chancellery of the Prime Minister), the Department of Occupational Policies and Migration Regulation (housed in the Ministry of Health, Labour and Social Protection), and the border police. In addition, the National Agency for Employment has a Labour Migration Department. A lack of clear division of responsibilities among these agencies limits efficiency and collaboration in the implementation of migration policies.

While the [National Development Strategy](#), “Moldova 2020”, and the Government’s action plans make reference to migration and development, alignment with national economic development strategies is limited. The Government is in the process of developing a new Development Strategy, “Moldova 2030”, and efforts are being made to mainstream migration and development therein.

3. Engages with partners to address migration and related issues

3.1. Migration governance: examples of well-developed areas

The Republic of Moldova participates in several multilateral and regional partnerships, such as the Budapest Process, the Cross-Border Cooperation Process (or Söderköping Process), and the EU’s Dialogue on Migration, Mobility and Security within the Eastern Partnership.

It is a member of the IOM, the United Nations High Commissioner for Refugees, and an active participant in the Global Forum on Migration and Development. Furthermore, IOM Moldova, in cooperation with other UN agencies of the country team, has mainstreamed migration topics in the Republic of Moldova into three of the four pillars of the new 2018–2022 Republic of Moldova – UN Partnership Framework for Sustainable Development, mainly in the areas of good governance, sustainable economic growth, and inclusive social development.

Specific migration issues between the Republic of Moldova and other countries are regulated through bilateral agreements. The Government has signed labour agreements with the Russian Federation, Belarus, Ukraine, Azerbaijan, Israel and France, and is concluding an agreement with Italy. It is also part of the EU–Moldova Mobility Partnership, which was signed in 2008 and has contributed to improving migration management in the country and advancing the migration and development nexus.

Moldovan authorities have included civil society organizations in activities related to legislative development and coordination in different fields. The Government collaborates with experts from the diasporas in order to develop public policies in the fields of justice, economic research, biodiversity, medical research and diaspora relations. The five “Diaspora Excellence Groups” are each formed by two experts who are selected based on merit and are paired with either a Prime Minister’s counsellor or representatives of a governmental body (ministries, institutes or agencies) or university to consult one another in the process of developing public policies.

3.2. Areas with potential for further development

The country does not yet formally engage with the private sector in agenda-setting and implementation of migration-related issues.

4. Advances the socioeconomic well-being of migrants and society

4.1. Migration governance: examples of well-developed areas

The Republic of Moldova has mechanisms to protect migrants working in the country and its nationals working abroad. The State ensures, according to the legislation in force, the protection of immigrant workers irrespective of race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, wealth or social origin. The Government exchanges information and cooperates with trade unions and employers on a regular basis in order to protect the rights of migrant workers, who are also protected against forced labour according to Art. 44 of the [Constitution of the Republic of Moldova](#).

The country has formalized accreditation criteria for recognizing foreign qualifications (degrees, skills and competencies), which is carried out by the Department of International Relations of the Ministry of Education, Culture and Research. The Ministry of Education, Culture and Research is in the process of adjusting the regulation on the recognition and certification of knowledge acquired in the context of informal and non-formal education to the international requirements. Moreover, the Republic of Moldova is reforming its vocational education and training system, with financial help from the EU, to make it comparable and compatible with the European Qualification Framework.

The existing legal framework was recently amended to effectively align labour migration policies with actual and projected labour market needs. Law No. 165/2017 simplified the procedure for granting and extending the right to work and temporary residence for work purposes. The categories of applicants who can obtain a temporary work permit based on skills and qualifications were expanded, with new categories introduced: highly qualified foreign nationals, and individuals engaged in investment projects of national importance. In addition, the procedure for granting temporary residence permits for work purposes for foreign senior management and investors according to the investments made or the number of jobs created has been reviewed.

In January 2018, the Ministry of Health, Labour and Social Protection developed a list of priority occupations, which was approved by the Government in Decision No. 115/2018. The Decision establishes a mechanism to identify the occupations that are demanded by employers but that are not occupied by Moldovan citizens, or those for which there is a deficit in the local labour force. In addition, a Labour Market Observatory was set up to generate and analyse statistical data, producing forecasts and identifying trends, including in the field of migration.

The Republic of Moldova has established formal remittance schemes through bank transfers and post offices, and the Government is working towards making such transfers more affordable. For example, a pilot agreement signed between the Moldovan and Italian national post offices, launched in 2014, reduced remittance costs significantly (EUR 5/EUR 1,000 on average). In addition, the Government is implementing the "PARE 1+1" programme which aims to attract the remittances of Moldovan migrants into the national economy. The programme specifically targets migrant workers and their first-degree relatives who want to invest in the launch or development of their business in the Republic of Moldova. Since its inception in 2010, the programme has facilitated access to finance for 1,136 Moldovan enterprises.

4.2. Areas with potential for further development

There is no national assessment of the effects of emigration on the domestic labour market. There have been only sporadic studies focusing on the effects of migration on the social security system, and indirectly on the labour market.

For university education, international students have to pay a higher fee than Moldovan citizens, with the exception of refugees and beneficiaries of humanitarian protection, who have the same rights as citizens (Art. 33 (1) f) [Law 270 on Asylum](#)).

5. Effectively addresses the mobility dimensions of crises

5.1. Migration governance: examples of well-developed areas

The country has a contingency plan in place to manage large-scale population movements in times of crisis. The Civil Protection and Emergency Situations Service is tasked with directing evacuated or refugee populations in times of crisis. Furthermore, the BMA has developed a [draft contingency plan](#) for situations of crisis generated by rapid increases in the number of migrants and asylum-seekers entering the country.

The Republic of Moldova has put in place communication systems available to the population to receive information on the evolving nature of a crisis, to communicate their needs and to indicate ways to access assistance, through an automated centralized notification system (radio and TV), which is intended to alert the population to radioactive, chemical, or natural disasters or other high-risk situations. Moreover, the BMA is specifically tasked to reach out and inform migrants in the event of crisis in Romanian and Russian and, where possible, in specific languages through translators. It keeps records of migrants' addresses and contact numbers and can reach out to them instantly by phone through a crisis unit that is created when a crisis happens.

Humanitarian assistance provided by the State is equally accessible to all, irrespective of the legal status of migrants (Art. 15 of the [Law No. 1491/2002](#) on humanitarian assistance). There are two sets of measures to make exceptions on immigration procedures for immigrants whose country of origin is experiencing crisis: (i) in exceptional situations, a 15-day visa is granted at border crossing points (rather than at the central authorities' locations) in an emergency caused by disasters, natural calamities or accidents in the applicant's country of origin (Art. 21 of [Law No. 200/2010](#)); (ii) if the asylum system is not able to process the demands sufficiently quickly, in the event of a massive and spontaneous influx of displaced people, they can be granted "temporary protection" for up to two years by Government decision on a proposal from the Ministry of Internal Affairs and on the basis of a report submitted by the BMA (Art. 21 of the [Law No. 270/2008](#) on Asylum).

Migrants are granted several rights by law, including the right to a home, the right to own and inherit private property, and the right to inviolability of the person and housing (Art. 84 of [Law No. 200/2010](#)). In emergency situations, Moldovan citizens, foreign citizens and stateless persons living in the territory of the Republic of Moldova, have the right to the protection of their life and health, to material and financial aid, and to free-of-charge use of individual and collective protection means (Art. 13 of the [Law No. 271/1994](#) on Civil Protection). The legislation grants migrants the same rights as Moldovan citizens without discrimination; therefore, they are *de facto* entitled to the same protections and rights upon their return provided that they have their documentation (e.g. residence permit, asylum documentation, etc.).

5.2. Areas with potential for further development

The Republic of Moldova has not published a Disaster Risk Reduction strategy per se; rather it has the Disaster and Climate Risk Reduction Programme led by the United Nations Development Programme, which is currently in its second phase (2013–2016). The programme has no provisions to address the displacement impacts of disasters. A discussion of a National Disaster Risk Management Strategy 2013–2020 for the Republic of Moldova started in 2013, but the plan is not available to the public.

6. Ensures that migration takes place in a safe, orderly and dignified manner

6.1. Migration governance: examples of well-developed areas

The MFAEI is developing a Visa Management Information System (SIGV) to electronically monitor visa overstays. The BMA and Border Police currently track visa overstays through manual review, and the BMA also works to identify people at high risk of overstaying.

The [e-visa service](#) provided by the MFAEI offers comprehensive information on visa options and provides opportunities to apply online. There is a full online system to enable visa applications and monitor status.

Border control and security are ensured by the Border Police, a public administration body under the Ministry of Internal Affairs, which implements state policy regarding integrated border management, and prevents and combats illegal migration and cross-border crime. Border Police personnel are regularly trained, both internally and through capacity-building programmes. During the first year of service, employees must attend training in educational institutions established by the Ministry of Internal Affairs. There are also inter-institutional and regional training programmes for all Border Police personnel.

The Government has prioritized the reintegration of returning migrants and recently adopted a [national action plan](#) to support the reintegration of Moldovan nationals returning from abroad, which covers the period 2017–2020. The plan aims to develop programmes and services for Moldovans returning from abroad by providing multidimensional support for reintegration (e.g. school reintegration, youth and elderly programmes, and employment measures). In October 2017, a framework partnership agreement was signed between the Ministry of Health, Labour and Social Protection and the French Office for Immigration and Integration regarding the reintegration of returning Moldovan emigrants from France. The agreement offers assistance on three levels: social reintegration, reintegration in the labour market, and entrepreneurship.

The [Committee for Combating Trafficking in Human Beings](#) is a public consultative body that coordinates the activities of preventing and combatting trafficking in human beings, as well as cooperating with public authorities, international and inter-governmental authorities, agencies and representatives of civil society. The Committee publishes an annual report describing the institutional framework and its counter-trafficking activities, as well as providing information on the profiles of the victims and the perpetrators. A police agency specializing in the investigation of human-trafficking crimes, the Centre for Combating Trafficking in Persons, was set up in 2007, while a specialized anti-trafficking prosecutorial body for organized crime was created in 2016.

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